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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/516,684

12/03/2004

Hyung-Chul Kang

8513-241 (SFF-1761-US)

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7590

11/03/2006

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EXAMINER

BACHMAN, LINDSEY MICHELE

ART UNIT

PAPER NUMBER

3734

DATE MAILED: 11/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/516,684

Applicant(s)

KANG, HYUNG-CHUL

Examiner

Lindsey Bachman

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3734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 12-3-04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

1. A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 4 and 8 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claims 4 and 8 recite the limitation "the interval". There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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**6. Claims 1, 2, 3 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Golden (US Patent 3,609,865).**

7. Claim 1: Golden'865 discloses a fork-like utensil containing a holder (11); a pressing portion (15) having a first extension (13 or 14) and a second extension (15) corresponding to each other and branched from the holder (11) (see Figure 1); and a pimple insertion hole (space between 13 and 15, or 14 and 15) formed inward from the first and second extensions.

8. Claim 2: Golden'865 discloses a number of grooves (24, 27) and protrusions (23, 26) formed on the inner contacting surfaces of the first and second extensions in a corresponding (Figure 1) unevenness shape.

9. Claim 3 and 7: Golden'865 discloses that the bottom of the pressing portion (15) is formed of a convex curved surface

**10. Claims 1 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Lee (US Patent 4,494,542).**

11. Claim 1: Lee'542 discloses a suture removing device containing a holder (10); a pressing portion (17) containing a first extension (11a) and a second extension (11b) and a pimple insertion hole (15) formed inward from the first and second extensions.

12. Claim 4: The device taught by Lee'542 has the pimple insertion hole (15) becoming gradually narrowing between the first and second extensions.

**13. Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Metcalf (US Patent 1,380,232).**

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14. Claim 1: Metcalf'232 discloses a tweezers containing a holder (2, 3), a pressing portion containing a first and second extension (elements 2 and 3 on the left of element 11) and a pimple insertion hold (space between elements 2 and 3 on the left of the element 11).

15. Claim 5: Metcalf'232 discloses an auxiliary grip (11) that initially extends in the perpendicular direction from the holder (see Figure 1, grip 11 extends perpendicularly up to element 8).

**16. Claims 1 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Segal (US Patent 1,714,822).**

17. Claim 1: Segal'822 teaches a tweezers containing a holder (22), a pressing portion containing a first and second extension (10, 10) and a pimple insertion hole (space between first and second extensions (10 and 10).

18. Claim 6: Segal'822 shos a ball shaped massage ball (20) formed on the upper portion of the holder.

**19. Claims 1, 2 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Daniell (US patent 4,976,718).**

20. Claim 1: Daniell'718 discloses a device containing a holder (14) and a pressing portion (8) containing a first extension (10) and a second extension (12) which correspond to each other and are branched off and extended from the holder (14) and a pimple insertion hole (60) formed inward of the first and second extensions.

21. Claim 2: Daniell'718 discloses a number of indents (space between 34a-e and space between 38a-e) and protrusions (34a-e and 38a-e) are formed on the inner

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contacting surfaces of the first and second extensions in corresponding unevenness shape (Figure 2).

22. Claim 8: The device taught by Daniell'718 has an insertion hole (60) that narrows gradually as it reaches from the handle to the end of the device (Figure 1, 2 and 3a).

**Conclusion**

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lindsey Bachman whose telephone number is 571-272-6208. The examiner can normally be reached on Monday to Thursday 7:30 am to 5 pm, and alternating Fridays.

24. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Hayes can be reached on 571-272-4959. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

25. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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MICHAEL J. HAYES  
SUPERVISORY PATENT EXAMINER